

ARTICLE APPEARED
ON PAGE A-1

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Nicaragua Activities Questioned

Rep. Boland Says U.S. Role There May Be Illegal

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Rep. Edward P. Boland (D-Mass.), chairman of the House Permanent Select Committee on Intelligence, said yesterday that the Reagan administration appears to be violating the law that bears his name and forbids secret operations to overthrow the government of Nicaragua.

Boland announced that the committee, in a three-hour meeting, had decided to summon Secretary of State George P. Shultz and national security affairs adviser William P. Clark to discuss U.S. "policy goals" in Central America before it takes any action.

"The committee is very much aware it must make some judgments . . .," Boland said.

His statement and the committee's bipartisan determination to bypass the CIA and go directly to President Reagan's top foreign policy advisers on the question of compliance with the law is a significant step for the traditionally low-profile chairman and generally cautious members when it comes to intelligence oversight.

According to participants, Boland outlined clearly at the start of the lengthy closed-door meeting that the administration is not adhering to the so-called "Boland amendment," which forbids U.S. assistance "for the purpose" of overthrowing the Nicaragua government or provoking a military exchange between Nica-

ragua and Honduras. The amendment was unanimously adopted by the House and signed into law by Reagan in December.

When Boland emerged last night he said that media and other reports he has seen "indicate to me that this [covert operation] is an apparent violation of the amendment."

Boland, who for the past several weeks has been traveling in the Far East, said he called the meeting "at the request of many members of the House and of many, many private citizens to consider whether the administration is following the letter and the spirit of the Boland amendment."

He said there were no formal votes, "but it is fair to say that the discussion we had reveals deep concerns about U.S. policy in Central America because the comments that were made went far beyond questions of compliance with the law."

Boland said the committee would bypass the CIA because "whatever our intelligence agencies do, they do at the explicit direction and under the supervision of the president and the National Security Council."

In determining whether the administration is complying with the law, Boland said the committee "will not split legal hairs," and added, "I think we have a responsibility to see the spirit of the law and congressional direction fully adhered to."

House Majority Leader James C. Wright Jr. (D-Tex.) attended the committee meeting and said later that if the panel determines that the law is being violated it will either tell the administration to "cease and desist" or "the law itself will have to be changed."

The House committee deliberations followed by one day a strong endorsement of the administration's Nicaraguan policy by Sen. Barry Goldwater (R-Ariz.), chairman of the Senate Select Committee on Intelligence. After a lengthy briefing from CIA Director William J. Casey, Goldwater issued a statement saying he is convinced that the administration "is not violating the letter or the spirit" of the Boland amendment.

Goldwater's view, not yet backed by the Senate committee's membership, was challenged by the House Foreign Affairs subcommittee on Western Hemisphere affairs, which Tuesday adopted an amendment offered by its chairman, Michael D. Barnes (D-Md.), that would cut off all support for the guerrillas fighting to topple the leftist Sandinista regime in Nicaragua "unless and until" Congress approved such funding by a joint resolution based on a detailed justification from the administration.

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